

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BOARD OF TRUSTEES of the PLUMBERS'	)	
LOCAL UNION NO. 93 U.A.;	)	
BOARD OF TRUSTEES of the PLUMBERS'	)	
LOCAL UNION NO. 93 U.A. RETIREMENT	)	
ACCOUNT FUND;	)	
BOARD OF TRUSTEES of the PLUMBERS'	)	
LOCAL UNION NO. 93 U.A. PENSION FUND;	)	
BOARD OF TRUSTEES of the PLUMBERS'	)	CIVIL ACTION
LOCAL UNION NO. 93 U.A. HEALTH AND	)	
WELFARE FUND;	)	
BOARD OF TRUSTEES of the JOINT	)	NO.: 09-CV-7115
APPRENTICESHIP COMMITTEE FUND of the	)	
PLUMBING & HEATING INDUSTRY OF LAKE	)	
AND McHENRY COUNTIES; and	)	JUDGE: SHADUR
The INDUSTRY ADVANCEMENT FUND;	)	
	)	
Plaintiffs,	)	MAGISTRATE
	)	JUDGE: ASHMAN
vs.	)	
	)	
DN PLUMBING, INC.,	)	
an Illinois Corporation, and	)	
DOMENICO NICHILLO a/k/a	)	
DOMINIC NICHILLO, an Individual,	)	
	)	
Defendants.	)	

**PLAINTIFFS' MOTION FOR FINAL JUDGMENT**

Now come Plaintiffs, the BOARD OF TRUSTEES OF THE PLUMBERS LOCAL UNION NO. 93 U.A., *et al.*, ("TRUST FUNDS") by and through their attorneys, JOHNSON & KROL, LLC, and move this Honorable Court for entry of Final Judgment in favor of Plaintiffs and against Defendants DN PLUMBING, INC. ("DN PLUMBING") and DOMENICO NICHILLO a/k/a DOMINIC NICHILLO ("NICHILLO"), and in support thereof, state as follows:

1. On January 7, 2010, this Honorable Court entered a Final Judgment against the Defendants DN PLUMBING and NICHILLO in the amount of \$23,737.96 as to two

claims and entered a Default Order as to the other claims. (A copy of the Final Judgment and Default Order is attached as Exhibit 1).

2. Pursuant to the Final Judgment and Default Order, Defendants DN PLUMBING and NICHILLO were required to submit Contribution Reports for the months of October and November of 2009.
3. On or about January 28, 2010, Defendants DN PLUMBING and NICHILLO complied with the terms of the Default Order by submitting October and November 2009 Contribution reports.
4. Due to the untimely submission of the October 2009 Contribution Report, Defendants DN PLUMBING and NICHILLO owe the Plaintiffs \$241.46 in liquidated damages and \$72.44 in interest charges. (An affidavit of delinquency is attached as Exhibit 2).
5. The Plaintiffs have expended \$4,646.95 in reasonable attorney's fees and costs while pursuing collection against the Defendants. (An affidavit of attorney's fees is attached as Exhibit 3).
6. Defendants are obligated to pay reasonable attorney's fees and court costs incurred by the Plaintiffs pursuant to the Collective Bargaining Agreement, Trust Agreements and 29 U.S.C. §1132(g)(2)(D).
7. A proposed Final Judgment Order is attached as Exhibit 4.

**WHEREFORE, Plaintiffs pray for the following:**

- A. That a Final Judgment Order be entered in favor of Plaintiffs and against Defendants DN PLUMBING and NICHILLO, jointly and severally, in the aggregate amount of \$28,698.81; and
- B. That Plaintiffs have such other relief and further relief as the Court may deem just and equitable all at Defendants' cost, pursuant to 29 U.S.C. §1132(g)(2)(E).

Respectfully Submitted,

**JOHNSON & KROL, LLC**

/s/ Jeffrey A. Krol – 6300262  
One of Plaintiffs' Attorneys

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